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C O N F I D E N T I A L SECTION 01 OF 02 NEW DELHI 007421

SIPDIS

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TAGS: [PREL](#) [PHSA](#) [KNNP](#) [IN](#) [UK](#) [PSI](#)

SUBJECT: BREAKING INDIA'S PSI LOGJAM

REF: NEW DELHI 6848

Classified By: Charge Bob Blake for Reasons 1.4 (B, D)

1. (U) This is an action request for Department L/LEI. See para 7.

12. (C) Summary: To gain GOI support for the Proliferation Security Initiative (PSI) we should quickly respond to GOI concerns about the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) Convention, while reiterating A/S Rademaker's argument that SUA and PSI are complementary in their objectives, but independent in their operations. Further, we should promote support for PSI as an immediate opportunity for the GOI to demonstrate to Congress its commitment to nonproliferation and thereby help to repair the damages from India's unwillingness to date to support referral of Iran to the UNSC. End Summary.

13. (C) Following the September 15 DVC between A/S Rademaker and his MEA counterpart Joint Secretary for Disarmament and International Security Hamid Ali Rao to address India's concerns about SUA and PSI, PolCouns met with MEA Acting Joint Secretary Sanjay Bhattacharya on Sept 21 to underline that we should not let disagreement on SUA amendments become an excuse for delay on PSI. Bhattacharya said the GOI was pleased with the opportunity to raise its concerns about SUA directly with A/S Rademaker and expressed hope that the GOI would soon receive a formal response to their demarche on SUA (Retel). He noted that A/S Rademaker seemed to reject the discriminatory "NPT-like" nature of SUA transport provisions, but added that he thought the safety clause may afford some flexibility. Finally, Bhattacharya mentioned that MEA Additional Secretary for International Security Meera Shankar was currently in New York, implying that any decision on PSI lay with Shankar.

14. (C) Eager to have Indian participation in the UK-hosted PSI Indian Ocean exercises Nov 14-19, colleagues at the UK High Commission have also asked about the status of US dialogue with the GOI on PSI. BHC Second Secretary told PolMilOff on Sept 22 that the GOI gave the BHC the same non-paper outlining GOI concerns about SUA, but did not link SUA to PSI, possibly because PSI is perceived to be a US initiative. Martinek also shared UK legal experts' response to the GOI non-paper (e-mailed to NP and SA/RA), which would be given to the GOI on September 23.

15. (C) Meanwhile, in New Delhi's strategic circles, debate continues among those who believe that GOI participation in PSI would be good for India regardless of what the US thinks about it. In his article, "Maritime Non-Proliferation Initiative India's Bulwarks Against Nuclear Terrorism," Institute for Defense Studies and Analyses Research Fellow Cdr. Gurpreet Khurana makes a case for GOI participation in PSI and the Container Security Initiative (CSI) based on India's real and immediate security concerns. Khurana argues that if the GOI continues its doctrinaire rejection of all global efforts linked to the NPT, it would compromise its own security. Under Manmohan Singh, Khurana has detected subtle indicators that India's leadership may be willing to consider practical approaches to counter the global threat of nuclear terrorism such as PSI and CSI, but this would require a political decision to move beyond traditional objections to the NPT treaty and concentrate instead on practical nonproliferation measures.

Comment

16. (C) Comment: As A/S Rademaker stated during the Sept 15 DVC, we do not believe GOI concerns about the SUA treaty have any practical bearing on PSI. However, a rapid response to issues in the GOI non-paper with additional points discussing the complementary but separate operations of SUA as a treaty on the one hand, and PSI as an informal, ad hoc initiative on the other, may de-link these initiatives and break the logjam. MEA's Bhattacharya offered a hopeful interpretation of the DVC, welcoming A/S Rademaker's answers on some of the GOI's practical questions about PSI implementation. Further, leveraging Indian equities in the July 18 civil nuclear agreement, we may present PSI as an immediate -- albeit less high-profile -- opportunity for the GOI to demonstrate to the US Congress its commitment to nonproliferation in the absence of India's outward support for referring Iran to the UNSC. End Comment.

17. (U) Post seeks guidance on the GOI demarche (reftel) as soon as possible.

18. (U) Visit New Delhi's Classified Website:
(<http://www.state.sgov.gov/p/sa/newdelhi/>)
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